



*Town of Ipswich, Massachusetts*

## **2019 Special Town Meeting Warrant**

**Tuesday, October 29, 2019 at 7:00 PM  
Ipswich High/Middle School Performing Arts Center  
134 High Street, Ipswich**

**8/30/2019**

**ESSEX, ss**

To the Constable of the Town of Ipswich in said County:

**GREETINGS:**

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify the inhabitants of the Town of Ipswich, qualified to vote in Town affairs, to meet at the Performing Arts Center of the Ipswich High School/Ipswich Middle School, 134 High Street, in said Ipswich, on TUESDAY, THE TWENTYNINTH OF OCTOBER, 2019, at 7:00 o'clock in the evening, then and there to act on the following articles, and to hear a report from the Public Safety Building Committee, viz:

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**Article One – Amend Town Budget (State Aid)****Main Motion Speaker: TBD**

To see if the Town will vote to amend the FY2020 Municipal Budget approved under Article 3 of the May 14, 2019 Annual Town Meeting by raising and appropriating the additional sum of \$62,880 to the FY20 Management Transfer account or take any other action relative thereto

**Requested by: Town Manager**  
**Select Board Recommend:**  
**Finance Committee Recommend:**

*Summary: The state budget has been finalized and the Town will receive additional Local Aid. This appropriation will be used to offset unanticipated expenses during FY2020. This sum includes the State's 75% reimbursement to the Town for veterans' benefits in FY2018, as well a general government aid. These funds go back into the Management Transfer account, which then covers unforeseen shortages in veteran's benefits or other town budgets each year. This article requires a simple majority vote.*

**MOTION:**

**I move to raise and appropriate the sum of \$62,880 as set forth in Article One of the warrant for this town meeting.**

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**Article Two – Amend School Budget (State Aid)****Main Motion Speaker: TBD**

To see if the Town will vote to amend the FY2020 School Budget approved under Article 4 of the May 14, 2019 Annual Town Meeting by raising and appropriating the additional sum of \$51,375 or take any action relative thereto.

**Requested By: School Department**  
**Select Board Recommend:**  
**Finance Committee Recommend:**

*Summary: The state budget has been finalized and the Town will receive additional net Chapter 70 funds. These funds will be used to offset the cost of school expenses. This article requires a simple majority vote.*

**MOTION:**

**I move to raise and appropriate the sum of \$51,375 as set forth in Article Two of the warrant of this town meeting.**

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**Article Three – Appropriation to Essex Tech****Main Motion Speaker: TBD**

To see if the Town will amend the action taken under Article 6 of the May 14, 2019 Annual Town Meeting by reducing or increasing the Town's share of the budget appropriated for the FY2020 annual operating and debt service expenses of the Essex North Shore Agricultural & Technical School District, or take any action relative thereto.

**Requested By: Town Manager**  
**Select Board Recommend:**  
**Finance Committee Recommend:**

*Summary: The Essex North Shore Agricultural & Technical School District Estimated FY2020 Budget was voted at the Annual Town Meeting in the amount of \$235,707. This estimate is for the tuition and estimated transportation costs of 12 students. After the October 1<sup>st</sup> official enrollment is completed, the final budget figure will be available in mid-October. The final FY2020 Budget figure will be included in the motion of this article. This article requires a simple majority vote.*

**MOTION:**

**I move to amend the action taken under Article 6 of the May 14, 2019 Annual Town Meeting by reducing the appropriation from \$235,707 to \$xxx,xxx as set forth in Article Three of the warrant for this town meeting.**

To see if the Town will vote to transfer from the Waterways Improvement Fund the sum of \$15,000 for the first of two installments to hire a consultant from the Urban Harbors Institute of UMass Boston to assist the Harbormaster and Waterways Advisory Committee in developing a Municipal Harbor Plan that will be submitted to the EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS per 301 CMR 23.00.

**Requested By: Chief Paul A. Nikas, Harbormaster**  
**Select Board Recommend:**  
**Finance Committee Recommend:**

*Summary: The Harbor Plan is a locally prepared and adopted plan focused on the use and management of our harbor and waterways, its resources, and adjacent waterfront land areas. The plan serves as a guide for future actions by the town, harbor users, and most importantly it is a means of communicating and coordinating the objectives of the community with government agencies with jurisdiction over the harbor.*

*Harbor planning is a very worthwhile undertaking for all the typical reasons planning is essential; goal setting, developing coordinated and strategic approaches, establishing funding opportunities, and improving coordination of efforts among the community at large, municipal boards, and other government entities. A Harbor Plan would provide a means for our community to best determine how a diversity of harbor uses can be accommodated, while incorporating protection and preparedness for sea level rise and its effects. This plan will also minimize conflicts among a wide range of uses, while maximizing protection of natural resources. A Harbor Plan is the basis for better understanding the natural and human values of the harbor, optimizing its use, and improving management of the harbor's resources. This article requires a simple majority vote.*

*Amount of Funding Needed: \$15,000.00 Recommended Funding Source: Waterways Improvement Fund*

**MOTION:**

**I move to authorize the transfer of \$15,000 from the Waterways Improvement Fund to be expended on a consultant to develop a Municipal Harbor Plan. Said funds to be expended by the Town Manager.**

“To see if the Town will vote to amend the Protective Zoning Bylaw of the Town of Ipswich as follows: (~~strike through~~ = language to be deleted; ***bold italics*** = new language)

Amend Section VII. Off-Street Parking and Loading Regulations as follows:

A. Amend B. Parking Requirements, Table of Minimum Parking Requirements, as shown below:

TABLE OF MINIMUM PARKING REQUIREMENTS	
Residential Uses	Required Parking Spaces **
1. Residence	One and a half (1½) spaces per dwelling unit- <b><i>with fewer than two (2) bedrooms and two (2) spaces per dwelling unit with two (2) or more bedrooms.*</i></b>

B. Amend M. Parking and Loading Layout as shown below:

- Layout – Required parking and loading facilities shall be laid out so that each vehicle may proceed to and from its parking space without requiring the movement of any other vehicle. The ~~Board~~ ***Special Permit Granting***

*Authority* may waive this requirement for parking facilities under full-time attendant supervision- **or for parking associated with a special permit...**

C. Insert a new subsection O to read as follows:

***O. To encourage electric vehicle (EV) charging for projects that create fifteen (15) or more new vehicle spaces, excluding loading vehicle spaces, electric vehicle charging ports must be included in the design at a ratio of one EV charging port per fifteen (15) spaces. If the number of new spaces results in a fractional number of EV charging ports, the number must be rounded up when it reaches one half (1/2).***

D. Renumber the remaining subsections accordingly.”

or to take any other action relative thereto.

**Requested By: Planning Board  
Select Board Recommend:  
Finance Committee Recommend:**

*Summary: Parking has emerged as a subject of keen interest for the Planning Board, Town Meeting, citizens and the public at large. In recent months, a Parking Task Force has convened; a downtown Parking Study has been completed; a citizen’s petition in May 2019 proposed raising the minimum parking requirement for residences; and Town efforts to improve centrally located parking lots and enforce current on-street parking regulations have been ongoing. The efforts are primarily aimed at reducing and preventing on-street congestion. This article requires a 2/3 majority vote.*

#### **MOTION:**

**I move to amend the Ipswich Zoning Bylaw as set forth in Article Five of the warrant for this town meeting.**

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#### **Article Six - Solar Energy Collection**

***Main Motion Speaker: TBD***

“To see if the Town will vote to amend the Protective Zoning Bylaw of the Town of Ipswich as follows: (strike through = language to be deleted; ***bold italics*** = new language)

- (1) Amend Section V, Table of Use Regulations, by adding a footnote, 40, after Residential, Community Facilities, Commercial and Wholesale, Transportation & Industrial, under Principal Use, as follows:

<b><i>TABLE OF USE REGULATIONS</i></b>										
<b>PRINCIPAL USE</b>	<b>DISTRICT</b>									
<b>Residential <sup>40</sup></b>	<b>RRR<sup>16</sup></b>	<b>RRB<sup>16</sup></b>	<b>RRC<sup>16</sup></b>	<b>IR<sup>16</sup></b>	<b>GB<sup>16</sup></b>	<b>CB<sup>16</sup></b>	<b>HB<sup>16</sup></b>	<b>PC<sup>16</sup></b>	<b>I<sup>16</sup></b>	<b>LI<sup>16</sup></b>
...	...	...	...	...	...	...	...	...	...	...
<b>Community Facilities <sup>40</sup></b>										
...	...	...	...	...	...	...	...	...	...	...
<b>Commercial <sup>40</sup></b>										
...	...	...	...	...	...	...	...	...	...	...
<b>Wholesale, Transportation &amp; Industrial <sup>40</sup></b>										
...	...	...	...	...	...	...	...	...	...	...

#### **FOOTNOTES TO USE REGULATIONS**

***40. Construction of any new community facility, commercial, industrial or business building of 10,000 square feet of floor area or more or additions to such existing buildings of 10,000 square feet of floor area or more, and multifamily projects (including multifamily dwellings, developments and residential mixed use projects) of seven (7) or more units shall be subject to the requirements of Section IX.T of this bylaw.***

(2) Amend Section IX. Special Regulations by inserting a new section, T. Solar Energy Collection Requirements, as follows:

## ***T. Solar Energy Collection Requirements***

### ***1. Purpose***

*The purpose of this Section is to further the Town's goal of reducing its dependence on non-renewable energy sources and to ensure that the Town's energy needs do not exceed the carrying capacity of its environment, infrastructure and services by requiring solar energy collection in certain instances.*

### ***2. Applicability***

*This Section shall apply to all projects that are subject to Section X, Site Plan Review, and also, for commercial projects, that add or create 10,000 or more square feet of floor area, and also, for residential projects, that add seven (7) or more units, and for all projects that increase the parking requirement by ten (10) or more spaces.*

### ***3. Definitions***

*Solar Energy Collection Apparatus or System: Refer to definition in Section III, Definitions*

*Solar-ready Zone: The solar-ready zone area is 50% of the roof area that is either flat or oriented between 110 degrees and 270 degrees of true north, exclusive of mandatory access or setback areas as required by the MA Fire Code.*

### ***4. Requirements***

*Development requiring Site Plan Review approval under Section X and subject to this Section under 2. above shall include a solar energy collection system that is equivalent to a minimum of 50% of the roof area of all buildings. In cases where a project includes an uncovered parking structure the structure shall also have a solar energy system installed to cover a minimum of 90% of its top level.*

### ***5. Solar Energy Collection Assessment***

*A solar energy collection assessment shall be submitted with applicable site plan review and special permit applications subject to this Section and must include, at a minimum:*

- a. An analysis for solar energy system(s) for the site detailing layout and annual production.*
- b. The maximum feasible solar zone area of all structures and potential ground mounted array areas.*
- c. A final solar installation plan must be reviewed and approved by the Planning Board prior to the issuance of a building permit for a project where a solar energy system is required.*

### ***6. Exemptions***

*A project will not be required to install a solar energy collection system on the roof when there is no solar ready zone, or the solar ready zone is shaded for more than fifty percent (50%) of daylight hours annually, where more than 50% of a roof is a green/living roof, or for building conversions with insufficient structural load capacity. Further, in the case of a mixed (ground and roof) or ground mounted installation, the requirement may be reduced or waived if the solar energy collection system analysis determines there is not a viable location to meet the solar requirement.*

*For projects on sites where a solar energy collection system already exists that satisfies the requirements of this Section, an applicant shall not be required to comply with this Section.*

### ***7. Safety and Locations Guidelines***

- a. Emergency Access: solar energy collection systems shall be located in such a manner as to ensure emergency access to the roof and property, provide pathways to specific areas of the roof and property, provide for smoke*

*ventilation opportunities, and provide emergency egress from the roof and buildings, as required by the MA Fire Code, as updated.*

- b. *Safety: no solar energy collection system shall be located in a manner that would cause the shedding of ice or snow from the roof into a porch, stairwell or pedestrian travel area.”*

or to take any other action relative thereto.

**Requested by: Planning Board**  
**Select Board Recommend:**  
**Finance Committee Recommend:**

*Summary:*

**MOTION:**

**I move to amend the Ipswich Zoning Bylaw as set forth in Article Six of the warrant for this town meeting.**

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**Article Seven – Zoning Freeze Timeline Extension and Floodplain District Updates   Main Motion Speaker – TBD**

“To see if the Town will vote to amend the Protective Zoning Bylaw of the Town of Ipswich as follows: (~~strike through~~ = language to be deleted; ***bold italics*** = new language)

- (1) Amend Section XI.R Applicability of Amendments to Outstanding Building Permits or Special Permits as follows:

As prescribed in Section 6 of Chapter 40A of the General Laws, construction or operations under a building or special permit shall conform to any subsequent amendment of the bylaw unless the use or construction is commenced within a period of not more than ~~six~~ ***twelve*** months after the issuance of the permit...

- (2) Amend Section IX. Special Regulations, D. Floodplain District, 3.d as follows:

~~In the For AO zones, the lowest floor of new construction of substantial improvements shall be elevated above the crown of the nearest street or above the average depth indicated within the Town of Ipswich on the Essex County FIRM the~~ ***design flood elevation shall be the elevation of the highest adjacent grade plus the flood plain depth specified on the FIRM plus one foot or the elevation of the highest adjacent grade plus three feet if no flood depth is specified.”***

or to take any other action relative thereto.

**Requested By: Planning Board**  
**Select Board Recommend:**  
**Finance Committee Recommend:**

*Summary:*

**MOTION:**

**I move to amend the Ipswich Zoning Bylaw as set forth in Article Seven of the warrant for this Town Meeting.**

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**Article Eight - Average Setback Rule, Nonconforming Structures and Site Plan Review Clarifications and Amendments** **Main Motion Speaker: TBD**

“To see if the Town will vote to amend the Protective Zoning Bylaw of the Town of Ipswich as follows: (~~strike through~~ = language to be deleted; ***bold italics*** = new language)

- (1) Amend Section VI. Table of Dimensional and Density Regulations, Footnotes to Table of Dimensional and Density Regulations as follows:

1. Except in the Rural Residence C, the Planned Commercial, and the Limited Industrial Districts, no building in any district need have a front setback greater than the front setback of the principal building(s) existing on the premises as of

the effective date of this provision, or the average front setback of the principal buildings on abutting lots ***that wholly or partially fall*** within two hundred and fifty (250) feet of each lot line facing the same street and located within the same area or district, ***measured not including the front lot line of the subject lot***, whichever is less restrictive...

(2) Amend Section II. Applicability, B. Nonconforming Uses and Structures, 3. d as follows:

Alteration to ~~the side or face of~~ a structure which encroaches upon a required yard or setback area, where the alteration will not encroach upon such area to a distance greater than the existing structure...

(3) Amend Section X. Site Plan Review as follows:

A. Add a new "4" under E. Submission Requirements, as follows:

#### ***4. Solar Energy Collection Assessment***

***A solar energy collection assessment shall be submitted, which includes an analysis for potential solar energy system(s) for the site, detailing layout and annual production; the maximum feasible solar zone area of all structures and potential ground mounted array areas; and a final solar installation plan in cases where an applicant proposes to install a solar energy collection apparatus.***

B. Amend C. General Standards, 12, as follows:

12. Energy, water and resource efficient design, ~~through such as~~ appropriate building orientation, landscaping ~~design,~~ ***use of solar energy collection apparatuses, electric vehicle charging stations, LED light fixtures*** and use of resource efficient materials and energy- and water-efficient systems."

or to take any other action relative thereto.

**Requested by: Planning Board  
Select Board Recommend:  
Finance Committee Recommend:**

*Summary: This article requires a 2/3 majority vote.*

#### **MOTION:**

**I move to amend the Ipswich Zoning Bylaw as set forth in Article Eight of the warrant for this town meeting.**

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#### **Article Nine – Zoning Board of Appeals Composition**

***Main Motion Speaker: TBD***

"To see if the Town will vote to amend the Protective Zoning Bylaw of the Town of Ipswich as follows: (~~strike through~~ = language to be deleted; ***bold italics*** = new language)

(1) Amend Section XI. Administration, F. Zoning Board of Appeals, as follows:

A Zoning Board of Appeals consisting of five (5) members and ~~two (2)~~ ***three (3)*** associate members..."

or to take any other action relative thereto.

**Requested By: Planning Board  
Select Board Recommend:  
Finance Committee Recommend:**

*Summary:*

#### **MOTION:**

**I move to amend the Ipswich Zoning Bylaw as set forth in Article Nine of the warrant for this town meeting.**



Amend Section 8 of the Charter:

SECTION 8 Acting Town Manager.

In the event of a temporary absence or disability (not more than thirty days) of the Town Manager, **the Town Manager shall appoint an employee of the Town to perform the duties of that office during that period, by letter filed with the Town Clerk. If the Town Manager fails to make an appointment within a reasonable amount of time, the Select Board shall appoint an employee of the Town to fill the duties of that office.** ~~the Board of Selectmen may designate an officer of the Town to perform the duties of the Town Manager until he shall return or his disability shall cease. Such an appointment must be made if~~ **If the temporary absence or disability extends beyond thirty days– the Select Board may then appoint a suitable person to perform the duties of the Town Manager. No member of the Select Board shall serve as Acting Town Manager.**

**Requested By: Gov't Study Committee**

**Select Board Recommend:**

**Finance Committee Recommend:**

*Summary: Upon recommendation of former and current Town Managers and to be consistent with Conflict of Interest Law, this article moves the authority for appointing an Acting Town Manager (absence of not more than 30 days) from the Select Board to the Town Manager. It also changes the appointee from “a suitable person” to a Town employee, in order to avoid conflicts of interest, provide continuity, and develop leadership within the staff. This article does not change the Select Board’s responsibilities (Charter Section 7) in the event of a vacancy longer than 30 days. The article prohibits the Select Board from appointing a Select Board member as acting Town Manager which appears not to comply with State Conflict of Interest Law.*

**MOTION: I move to authorize the Select Board to petition the Massachusetts General Court to amend the Ipswich Charter as set forth in Article Ten of the Warrant for this town meeting.**

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Article Eleven – Article III Regulations, Add Sub Section 118-9 Waterways Regulations Authority

To see if the Town will amend the provisions of Chapter 118 of the General Bylaws as set forth below, or make other changes to any provision of Chapter 118 (Boats and Waterways)

**118-9 Waterways Advisory Committee.**

**The Select Board shall appoint the Waterways Advisory Committee. The Select Board shall determine the Waterways Advisory Committee composition and charge which shall include the development and recommendation of regulations and policies for approval by the Select Board concerning Town Wharf; waterways; public rights; public safety; public landings; mooring areas and mooring permits within Ipswich territorial boundaries.**

**The Harbormaster shall be an ex-officio non-voting member of the Waterways Advisory Committee. The Harbormaster shall enforce waterways regulations.**

**Requested By: Gov't Study Committee**

**Select Board Recommend:**

**Finance Committee Recommend:**

*Summary: Ipswich waterways may be our largest and most used open public space and resource. It is well established that Town Meetings have the authority to adopt bylaws that establish waterways regulations authority and process. The Select Board is the elected Town of Ipswich Chief Executive Body with broad regulations authority by state statute and Town Charter. Examples include traffic regulations, parking regulations, shellfish regulations, playground regulations and Crane Beach regulations. The Government Study Committee recommends that the October 29, 2019 Town Meeting approve this bylaw amendment to ensure compliance with State laws; affirm Select Board regulations authority to include*

*Town Wharf and waterways; define the Waterways Advisory Committee appointment and charge; and define the Harbormaster authority to enforce of Town Wharf and waterways regulations.*

**MOTION:**

**I move to amend Chapter 118 of the Town of Ipswich Bylaws as set forth in Article Eleven of the warrant for this Town Meeting.**

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**Article Twelve – Changes to Demolition Review Bylaw**

***Main Motion Speaker: TBD***

To see if the Town will amend the provisions of Chapter 138 of the General Bylaws as set forth below, or make other changes to any provision of Chapter 138 (Demolition Review)

**138-2 Definitions.**

C. Significant Building – any building or portion thereof which:

1. Is in whole or in part ~~75 or more years old;~~ **built before 1930**

**D. Demolition Neglect – The gradual deterioration of a “Significant Building” (as defined in 138-2 (C)) due to a lack of adequate routine or major maintenance. The neglect may be by negligence or intentional.**

**138-3 Procedure.**

G. Upon such determination by the Commission, the Commission shall so advise the applicant and the Building Inspector, in hand or by certified mail, within 21 days of the conduct of the hearing, and no demolition permit may be issued until ~~42~~ **24** months after the date of such determination by the commission, except under the conditions of Subsection H of this section. **[Amended 4-5-2004 ATM, approved by the Attorney General 5-3-2004]**

**Requested by: Historical Commission**

**Select Board Recommend:**

**Finance Committee Recommend:**

*Summary: Demolition by Neglect involves the gradual deterioration of a “significant building” (as defined in 138-2) due to a lack of adequate routine or major maintenance. The neglect may be by negligence or intent. The Historical Commission and the appropriate Town Department(s) shall warn the owner of the violation of the bylaw governing Demolition Delay, and their liability to the enforcement and remedies detailed in 138-4.*

**MOTION: I move to amend Chapter 138 of the Ipswich General Bylaws as set forth in Article Twelve in the warrant for this town meeting.**

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**Article Thirteen – Change Procedures for Town Meeting Warrant**

***Main Motion Speaker: TBD***

To see if the Town will amend the provisions of Chapter 25 of the General Bylaws as set forth below, or make other changes to any provision of Chapter 25 (Town Meeting):

**25-2. Annual Town Meeting.**

- A. The Annual Town Meeting of the Town shall be held on the second Tuesday of the month of May and at a time as specified by the Select Board in the warrant, and all business, except the election of such officers and the determination of such matters as by law or by this chapter are required to be elected or determined by ballot, shall be considered at that meeting or at an adjournment thereof to another day. That part of the Annual Town Meeting devoted to the election of officers and the determination of such questions as by law or by this chapter are required to be elected or determined by ballot shall be held on a Tuesday in May not less than seven nor more than 15 days after the first date of said meeting, in accordance with the provisions of Article I, Bond Appropriations, of this chapter.

- B. The warrant for a ~~any~~ Town Meeting *shall be open on the first business day following the dissolution of the immediately preceding Town Meeting and shall be closed no sooner than sixty (60) days before the first session of the subject Town Meeting*, ~~once opened, shall remain open for at least seven calendar days.~~ The Select Board shall have the authority to insert any article, ~~for in the warrant of the Annual~~ *any* Town Meeting at any time before the posting of the *text of the warrant* for ~~that the Annual~~ Town Meeting *as set forth in this chapter.*

### 25-3. Special Town Meeting.

- A. The balloting on all appropriations arising at a Special Town Meeting, the adoption of which is required by the provisions of Section ~~6~~ **25-1** of this chapter to be by printed ballot, shall be conducted in accordance with the provisions of Article I, Bond Appropriations, of this chapter not *fewer* less than eight nor more than 15 days after the said meeting, and the said meeting shall adjourn to such date as is determined for the purpose of balloting. The hours during which the polls shall be kept open for such balloting may be designated by the meeting.
- B. The Select Board shall give ~~at least three calendar days'~~ notice of their intention to ~~open a warrant for~~ *call* a Special Town Meeting, by *(1) publication in a newspaper published in, or having a general circulation in, the Town of Ipswich, (2) by prominently posting notice in the Town Clerk's office and in the Ipswich Public Library, and (3) in 14-point font displayed on the home page of the Town website, ~~unless in their judgment public interest would suffer by such a delay.~~*
- C. The warrant for a special Town Meeting, ~~once opened,~~ shall remain open for at least ~~seven~~ *ten* calendar days *following publication of notice, unless the Select Board determines that the public interest would suffer by such a delay.*

### 25-4. Warrants.

- A. In all warrants for *all* Town Meetings, the Select Board or Town Manager shall indicate after each article the Town board or officer requesting it, or if the subject of the article has been requested in writing by the required number of registered voters as provided in MGL c. 39, § 10, the name of at least one of the petitioners who signed the request.
- B. *Notice of the date, time, and place of all Town Meetings shall be by publication in a newspaper published in, or having a general circulation in, the Town of Ipswich. The entire text of all warrants for all Town Meetings, except notices of adjournment, shall be served by prominently posting it in the Town Clerk's office and in the Ipswich Public Library as well as through a link included in an announcement published in 14-point font on the home page of the Town website.* ~~attested copies thereof in the Town Hall, and in at least one public place in each by publication in a newspaper published, or having a general circulation in, the Town of Ipswich, at least seven days prior to the time for holding the Annual Town Meeting and at least 14 days prior to the time for holding any Special Town Meeting. Newspaper publication shall not be required for warrants solely related to elections.~~

Requested by: Town Moderator  
Select Board Recommend:  
Finance Committee Recommend:

*Summary: This article requires a simple majority vote.*

**MOTION: I move to amend the Chapter 25 of the Ipswich General Bylaws as set forth in Article Thirteen in the warrant for this town meeting.**

To see if the Town will amend the provisions of Chapter 160-1 of the General Bylaws as set forth below, or make any other changes to Chapter 160-1:

**160-1. Marijuana establishments forbidden.**

The operation of any marijuana establishment, as defined in MGL c. 94G, § 1, ~~including, without limitation, a marijuana cultivator, marijuana testing facility, marijuana product manufacturer, marijuana retailer or any other type of licensed marijuana related business,~~ ***that conducts adult-use marijuana retail sales*** within the Town is prohibited. ***Notwithstanding the provisions of the Protective Zoning Bylaw of the Town of Ipswich,*** this prohibition shall not apply to the sale, distribution or cultivation, ***processing, or testing*** of marijuana for ***adult use nor shall it apply to the sale, distribution*** ***cultivation, processing or testing of marijuana*** for medical purposes licensed under Chapter 369 of the Acts of 2012

**Requested by: Spencer Kalker**

**Select Board Recommend:**

**Finance Committee Recommend:**

*Summary: The intent of these changes is to allow for the cultivation, processing and testing of cannabis for both recreational and medical marijuana in the town of Ipswich. This does not change the prohibition on recreational sales.*

**MOTION:**

**I move to amend the Chapter 160 of the Ipswich General Bylaws as set forth in Article Fourteen in the warrant for this town meeting.**

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And you are directed to serve this Warrant by posting attested copies thereof in the Town Hall and in at least one public place in each precinct and by publication in a newspaper published, or having a general circulation in, the Town of Ipswich at least fourteen days prior to the time for holding the Special Town Meeting.

Given unto our hands this third day of September in the year of our Lord, Two Thousand and Nineteen.

**TOWN OF IPSWICH  
SELECT BOARD**

\_\_\_\_\_  
William D. Whitmore – Chair

\_\_\_\_\_  
Linda D. Alexson – Vice Chair

\_\_\_\_\_  
Nishan D. Mootafian

\_\_\_\_\_  
Tammy Jones

\_\_\_\_\_  
Kerry L. Mackin